



H.C.P.Nos.2107 & 2286 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 16.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.Nos.2107 & 2286 of 2025

Uma Maheshwari (F/47),
W/o. Arumugam,
Door No.732, N Block,
New Housing Unit, Ammankulam,
Puliyakulam, Coimbatore. .. Petitioner in HCP.No.2107/2025

Hariharan (M/23),
S/o. Suresh,
Door No.182, D Block,
New Housing Unit, Ammankulam,
Puliyankulam, Coimbatore. .. Petitioner in HCP.No.2286/2025

VS

- 1.The State rep. by its,
The Secretary to Government,
Home, Prohibition and Excise (XVI) Dept.,
Fort St.George, Secretariat, Chennai-600 009.
- 2.The Commissioner of Police/Detaining Authority,
Office of the Commissioner of Police,
Coimbatore City.
- 3.The Superintendent of Prison,
Central Prison at Coimbatore,
Gandhipuram, Coimbatore-641 012.



H.C.P.Nos.2107 & 2286 of 2025

4. The Inspector of Police,
C-2, Race Course Police Station,
Coimbatore District.

.. Respondents in both HCPs

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Prayer in HCP.No.2107 of 2025: Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus calling for the records in Detention order in C.No.142/G/IS/2025 dated 21.08.2025 on the file of the 2nd respondent and set aside the same and direct the respondents herein to produce the Son of the petitioner/ detenu Mr.A.Sakthivel S/o Arumugam aged 21 years now confined in Central Prison at Coimbatore before this Court and set him at liberty.

Prayer in HCP.No.2286 of 2025: Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus calling for the records in Detention order in C.No.143/G/IS/2025 dated 21.08.2025 on the file of the 2nd respondent and set aside the same and direct the respondents herein to produce the petitioner's brother / Detenu Mr.S.Sankar S/o Suresh aged about 21 years now confined in Central Prison at Coimbatore before this Court and set him at liberty.

(In both HCPs)

For Petitioners : Ms.R.Subadra Devi

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

COMMON ORDER
(Made by SUNDER MOHAN, J.)

The relatives of two detenus who are co-accused in the ground case have filed the above petitions challenging their respective detention orders both dated 21.08.2026 branding them as 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (in short, 'Act').



H.C.P.Nos.2107 & 2286 of 2025

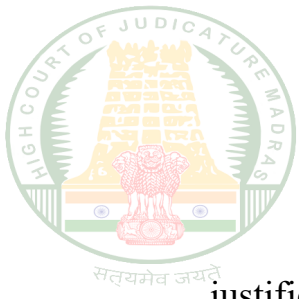
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2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondents.

3.Common grounds have been raised by the learned counsel for the petitioners. The learned counsel for the petitioners would submit that in both the cases the detenus had not filed any bail applications and the detaining authority had relied upon an unsigned statement from their relatives to infer that the detenus are likely to file the bail application, which is contrary to the orders passed by this Court in HCP No.1684 of 2025.

4.Secondly, the learned counsel submitted that the detaining authority had relied upon an order passed in CMP.No.1710 of 2022 dated 11.04.2022 by the learned Principal District and Sessions Judge, Coimbatore, wherein the facts are not similar to the facts in the ground case. In the said case, the bail was granted to the accused therein on the ground that the victim had not sustained any serious injury whereas in this case, the victim had sustained a head injury.

5.Thirdly the learned counsel submitted that pages Nos.33 to 35 of the booklet which are portions of the final report in the adverse case has not been translated in the language known to the detenu, thereby denying an opportunity to the detenu to make effective representation.



H.C.P.Nos.2107 & 2286 of 2025

6.We are satisfied that the learned counsel for the petitioners is justified in her submissions and on perusal of the records, we find that the detention order is liable to be quashed on all the above three grounds raised by the learned counsel for the petitioners.

7.In light of the aforesaid discussion, these Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in C.No.142/G/IS/2025 (HCP.No.2107 of 2025) and C.No.143/G/IS/2025 (HCP.No.2286 of 2025) both dated 21.08.2025, are set aside.

8.The detenus, viz., A.Sakthivel, S/o. Arumugam, aged 21 years (HCP.No.2107 of 2025) and S.Sankar, S/o. Suresh, aged 21 years (HCP.No.2286 of 2025), who are now confined in Central Prison, Coimbatore, are hereby directed to be set at liberty forthwith unless their presence is required in connection with any other case.

[A.S.M, J.] [S.M, J.]
16.04.2026

vs

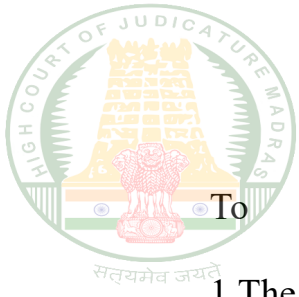
Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

vs

Note to Registry: Issue Today.



H.C.P.Nos.2107 & 2286 of 2025

To

- 1.The Secretary to Government,
Home, Prohibition and Excise (XVI) Dept.,
Fort St.George, Secretariat, Chennai-600 009.
- 2.The Commissioner of Police/Detaining Authority,
Office of the Commissioner of Police,
Coimbatore City.
- 3.The Superintendent of Prison,
Central Prison at Coimbatore,
Gandhipuram, Coimbatore-641 012.
- 4.The Inspector of Police,
C-2, Race Course Police Station,
Coimbatore District.
- 5.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 6.The Public Prosecutor,
High Court, Madras.



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DR. ANITA SUMANTH,J.
and
SUNDER MOHAN,J.

vs

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